

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

REGINALD STEVENSON,

Plaintiff,

Case No. 11-14111

Honorable Denise Page Hood

v.

CITY OF DETROIT, et al.,

Defendants.

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**ORDER ACCEPTING REPORT AND RECOMMENDATION**  
**and**  
**DENYING MOTION TO STRIKE ANSWER AND FOR DEFAULT JUDGMENT**

This matter is before the Court on Magistrate Judge Lauri J. Michelson's Report and Recommendation filed March 30, 2012 [Doc. No. 27]. The time to file Objections has passed and no Objections have been filed to date.

The standard of review by the district court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court "shall make a *de novo* determination of those portions of the report or the specified proposed findings or recommendations to which an objection is made." 28 U.S.C. § 636(B)(1)(c). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the Magistrate." *Id.* In order to preserve the right to appeal the Magistrate Judge's recommendation, a party must file objections to the Report and Recommendation within fourteen (14) days of service of the Report and Recommendation. Fed. R. Civ. P 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

After review of the Magistrate Judge's Report and Recommendation, the Court finds that the findings and conclusions are correct. The Court agrees with the Magistrate Judge that at this time, the sanctions of striking the Answer and entry of Default Judgment against Defendants for failure to cooperate in discovery are not yet warranted. It is noted that the Magistrate Judge in the Report and Recommendation warned Defendants that further noncompliance regarding discovery orders may result in the severe sanctions of striking the Answer and entry of Default Judgment.

Accordingly,

IT IS ORDERED that Magistrate Judge Lauri J. Michelson's March 30, 2012 Report and Recommendation [**No. 27**] is ACCEPTED and ADOPTED as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike Answer and for Default Judgment [**No. 16, filed 2/23/2012**] is DENIED without prejudice.

s/Denise Page Hood  
Denise Page Hood  
United States District Judge

Dated: May 17, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 17, 2012, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager